

# DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## BONE PLATING SYSTEM

and for which a patent application:

☒ is attached hereto

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/153,239	September 13, 1999

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), William S. Galliani (Reg. No. 33885), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), and Alan Tenenbaum (Reg. No. 34939), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:		PENNIE & EDMONDS LLP 1667 K Street, N.W. Washington, D.C. 20006		DIRECT TELEPHONE CALLS TO: PENNIE & EDMONDS LLP DOCKETING (202) 496-4721	
201	FULL NAME OF INVENTOR	LAST NAME WEAVER	FIRST NAME Paul	MIDDLE NAME C.	
	RESIDENCE & CITIZENSHIP	CITY Douglassville	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 345 Blacksmith Road	CITY Douglassville	STATE OR COUNTRY PA	ZIP CODE 19518
202	FULL NAME OF INVENTOR	LAST NAME MAST	FIRST NAME Jeff	MIDDLE NAME W.	
	RESIDENCE & CITIZENSHIP	CITY Grosse-Pointe-Park <i>RENO</i>	STATE OR FOREIGN COUNTRY <i>MT NV</i>	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET <i>320 RIVERVIEW CIRCLE</i> <i>64 Pointe Park Place</i>	CITY <i>Grosse-Pointe-Park- RENO</i>	STATE OR COUNTRY <i>MI NV</i>	ZIP CODE <i>48230 53540</i>
203	FULL NAME OF INVENTOR	LAST NAME MAYO	FIRST NAME Keith	MIDDLE NAME A.	
	RESIDENCE & CITIZENSHIP	CITY Harrison Township	STATE OR FOREIGN COUNTRY MI	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET <i>3165 AGATE BAY</i> <i>20820 Riverside Bay Court</i> <i>LANE</i>	CITY <i>Bellingham</i> <i>Harrison Township</i>	STATE OR COUNTRY <i>WA</i>	ZIP CODE 48045
204	FULL NAME OF INVENTOR	LAST NAME BOLHOFNER	FIRST NAME Brett	MIDDLE NAME R.	
	RESIDENCE & CITIZENSHIP	CITY St. Petersburg	STATE OR FOREIGN COUNTRY FL	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET 1771 Tanglewood Drive NE	CITY St. Petersburg	STATE OR COUNTRY FL	ZIP CODE 33702
205	FULL NAME OF INVENTOR	LAST NAME LITTLE	FIRST NAME David	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY <i>West Chester MALVERN</i>	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP USA	
	POST OFFICE ADDRESS	STREET <i>43 LANMARK DR.</i> <i>P-273, 300 East Evans Street</i>	CITY <i>MALVERN</i> <i>West Chester</i>	STATE OR COUNTRY PA	ZIP CODE <i>19380 19355</i>
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR Paul C. WEAVER <i>Paul C. Weaver</i>	SIGNATURE OF INVENTOR Jeff W. MAST <i>Jeff W. Mast</i>	SIGNATURE OF INVENTOR Keith A. MAYO <i>Keith A. Mayo</i>
DATE <i>8/22/00</i>	DATE <i>8-30-2000</i>	DATE <i>9-5-00</i>
SIGNATURE OF INVENTOR Brett R. BOLHOFNER <i>Brett R. Bolhofner</i>	SIGNATURE OF INVENTOR David LITTLE <i>David Little</i>	
DATE <i>8/24/00</i>	DATE <i>8/22/00</i>	

12-28-2000




101565280

Attorney Docket Number  
8932-146

**Box ASSIGNMENT**  
TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, DC 20231

*MD*  
*12-14-00*

Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p><b>Paul C. WEAVER; Jeff W. MAST; Keith A. MAYO; Brett R. BOLHOFNER; and David LITTLE</b></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Synthes (USA)</u></p> <p>Address: <u>1690 Russell Road, Paoli, PA 19301</u></p> <p>Country (if other than USA): _____</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <span style="margin-left: 150px;"><input type="checkbox"/> Merger</span></p> <p><input type="checkbox"/> Security Agreement <span style="margin-left: 150px;"><input type="checkbox"/> Change of Name</span></p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>August 22, 30, September 5, August 24, 22, 2000</u></p>	
<p>4. Application number(s) or patent number(s):</p> <p>If this document is being filed together with a new application, the execution date of the application is: _____</p> <p>A. Patent Application No.(s) <u>09/660,287</u>   B. Patent No.(s) _____</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p><b>PENNIE &amp; EDMONDS LLP</b> 1667 K Street, N.W. Washington, D.C. 20006</p>	<p>6. Number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41):.....\$ <u>40.00</u> Please charge to the deposit account listed in Section 8.</p> <p>8. Deposit account number: <u>16-1150</u></p>

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Paul D. Bianco 43,500

Name of Person Signing Reg. No.  
For Allan A. Fanucci Reg No. 30,256

Signature

December 14, 2000

Date

12/29/2000 DNGUYEN 00000194 161150 09660287

Total number of pages including cover sheet:

6

01 FC:581

40.00 CH

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

## ASSIGNMENT

WHEREAS, WE, Paul C. WEAVER; Jeff W. MAST; Keith A. MAYO; Brett R. BOLHOFNER; and David LITTLE, ASSIGNORS, citizens of United States, residing at 345 Blacksmith Road, Douglassville, PA 19518; 320 Riverview Circle, Reno, NV 53890; 3165 Agate Bay Lane, Bellingham, WA 48045; 1771 Tanglewood Drive NE, St. Petersburg, FL 33702; and 43 Landmark Drive, Malvern, PA 19355, respectively, are the inventors of the invention in BONE PLATING SYSTEM for which an application for a Patent of the United States is to be filed

- ☒ which is executed concurrently herewith
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-146

AND WHEREAS, SYNTHES AG CHUR, ASSIGNEE, having a registered office and place of business at Grabenstrasse 15, CH-7002 Chur, Switzerland, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application in all geographic locations except the United States and its possessions and territories, Canada and its possessions and territories, the Bahamas, and Bermuda, (hereinafter "the excluded geographic locations")

AND WHEREAS, SYNTHES (USA), ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application in the excluded geographic locations:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over:

(1) unto the said SYNTHES (USA), its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention in the excluded geographic locations, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection in the excluded geographic locations, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country in the excluded geographic locations, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such

application is filed, as may be applicable; and all forms of industrial property protection in the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country in the excluded geographic locations and all extensions, renewals and reissues thereof, and

(2) unto the said SYNTHES AG CHUR, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention in all geographic locations except the excluded geographic locations; and all applications for industrial property protection in all geographic locations except the excluded geographic locations, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States in all geographic locations except the excluded geographic locations, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection in all geographic locations except the excluded geographic locations, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the respective ASSIGNEES, their successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

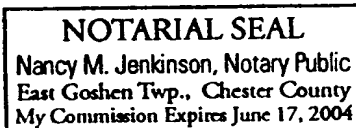
AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEES, their successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 22, 2000 Paul C. Weaver L.S.  
Paul C. WEAVER

State of Pennsylvania  
) SS.:  
County of Chester )

In the State of Pennsylvania, county of Chester, on Aug. 22,  
before me, Nancy M. Jenkinson Notary Public, personally appeared Paul C. WEAVER,  
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.



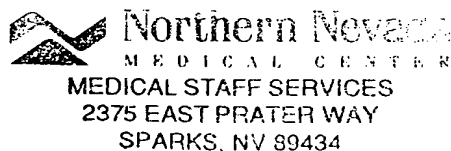
WITNESS my hand and official seal  
Nancy M. Jenkinson

Date 08/30/2000, 2000 Jeff W. Mast L.S.  
Jeff W. MAST

State of NEVADA )  
) SS.:  
County of WASHOE )

In the State of NEVADA, county of WASHOE, on 08/30/2000  
before me, Leah Webb, Notary Public, personally appeared Jeff W. MAST,  
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal  
Leah Webb



Date 9-5-00, 2000

Keith A. MAYO

L.S.

State of Washington )  
 ) SS.:  
County of Whatcom )

In the State of Washington, county of Whatcom, on Sept 5, 2000, before me, Erin E. Johnson, Notary Public, personally appeared Keith A. MAYO, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Erin E. Johnson



Date 8/24/00, 2000

Brett R. BOLHOFNER

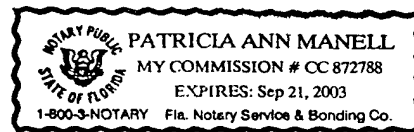
L.S.

State of Florida )  
 ) SS.:  
County of Pinellas )

In the State of Florida, county of Pinellas, on 8/24/00, before me, Patricia Ann Manell, Notary Public, personally appeared Brett R. BOLHOFNER, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Patricia Ann Manell



Date 8/22/06, 2000

David Little  
David LITTLE

L.S.

State of Pennsylvania  
) SS.:

County of Chester )

In the State of Pennsylvania, county of Chester, on Aug. 22,  
before me, Nancy M. Jenkinson Notary Public, personally appeared David LITTLE,  
personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Nancy M. Jenkinson

